

Message Text

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E.O. 11652: N/A

TAGS: PFOR, CA

SUBJECT: QUESTIONS AND ANSWERS IN THE MATTER OF THE TREATY
BETWEEN THE UNITED STATES AND CANADA ON THE EXECUTION OF
PENAL SENTENCES

1. FOLLOWING IS CONTINGENCY PRESS GUIDANCE PREPARED FOR
USE AT DEPT NOON PRESS BRIEFING MARCH 2 IN CONNECTION
WITH SIGNING OF TREATY ON EXCHANGE OF PENAL SANCTIONS IN
WASHINGTON.

Q. IS IT TRUE THAT A TREATY WITH CANADA IS BEING SIGNED
RELATING TO THE TRANSFER OF PRISONERS?

A. YES -- AT 11 A.M. TODAY AT THE DEPT OF JUSTICE.
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THE SIGNERS ARE ATTORNEY GENERAL BELL AND SOLICITOR
GENERAL OF CANADA FRANCIS FOX.

Q. WHAT ARE THE BASIC PROVISIONS OF THE TREATY?

A. THE BASIC ELEMENTS OF THE AGREEMENT ARE AS FOLLOWS:

1. PRISONERS WOULD BE TRANSFERRED TO THEIR HOME COUNTRY TO COMPLETE THE TERM OF IMPRISONMENT TO WHICH THEY WERE

SENTENCED IN THE FOREIGN COUNTRY.

2. NO PRISONER WOULD BE TRANSFERRED WITHOUT HIS OWN CONSENT AND THE INDIVIDUAL APPROVAL OF THE TWO GOVERNMENTS.

3. SOME CATEGORIES OF OFFENDERS WOULD BE EXCLUDED: PERSONS COMMITTING IMMIGRATION OR MILITARY OFFENSES, AND PERSONS SERVING SENTENCES LESS THAN SIX MONTHS.

4. AFTER TRANSFER THE PAROLE AND PRISON PROCEDURES THAT APPLY IN THE PRISON TO WHICH HE IS TRANSFERRED WOULD APPLY TO HIM.

Q. IS IT SIMILAR TO THE MEXICAN TREATY?

A. EXCEPT IN MATTERS OF LANGUAGE, YES.

Q. WHY WAS IT SIGNED BY THE ATTORNEY GENERAL?

A. IT WAS AN APPROPRIATE OCCASION FOR THE TWO LAW ENFORCEMENT OFFICIALS TO MAKE EACH OTHERS' ACQUAINTANCE. FURTHERMORE, THE ORIGINAL DISCUSSION WITH CANADA HAD TAKEN PLACE THROUGH DEPT OF JUSTICE CHANNELS.

Q. WHAT FURTHER STEPS HAVE TO BE TAKEN BEFORE THIS
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TREATY GOES INTO EFFECT?

A. IT NEEDS THE ADVICE AND CONSENT OF OUR SENATE AND LEGISLATION BY THE CANADIAN PARLIAMENT. IT WILL NEED IMPLEMENTING LEGISLATION ON OUR PART, TOO. IT WILL PROBABLY BE CONSIDERED BY THE SENATE AT THE SAME TIME AS THE MEXICAN TREATY.

Q. DO YOU HAVE ANY IDEA AS TO WHEN THAT MIGHT BE?

A. IT DEPENDS ON THE SENATE FOREIGN RELATIONS COMMITTEE CALENDAR, INCLUDING THEIR APPOINTMENTS MATTERS. WE HOPE THAT HEARINGS MIGHT BE TOWARD THE END OF THIS MONTH.

Q. WHEN CANADA AND THE U.S. ARE SO MUCH MORE ALIKE IN THEIR CULTURE AND PRISON CONDITIONS AND JUDICIAL PROCEDURES THAN ARE THE U.S. AND MEXICO, WHY HAVE A TREATY?

A. BEING CONFINED FAR AWAY FROM HOME AND FAMILY IS

ALWAYS AN EXTRA HARDSHIP IN AND OF ITSELF. THE SCAN-DANAVIAN COUNTRIES WHICH HAVE VERY SIMILAR PRISON SYSTEMS HAVE A FLOURISHING TRANSFER PROGRAM.

Q. CAN YOU GIVE US SOME IDEA OF THE NUMBERS?

A. OUR INFORMATION IS THAT ABOUT 175 AMERICANS ARE IN CANADIAN JAILS AND 90 CANADIANS IN THE U.S.

Q. ARE THEY MOSTLY DRUG OFFENDERS?

A. DRUG OFFENDERS ARE NOT AS HIGH A PROPORTION OF THE GROUP AS THEY ARE IN MEXICO.

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